

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

JAMES ERIC LOFTEN

v.

DOUG DRETKE

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C.A. NO. C-05-174

**MEMORANDUM OPINION AND ORDER DENYING MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

On May 27, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 15). After ample opportunity, no objections have been filed by either party. This Court regards such omission as each party's agreement with and acceptance of the Magistrate Judge's findings of fact and conclusions of law. Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum and recommendation. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). This Court adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, petitioner's motion for a temporary restraining order and preliminary injunction (D.E. 11) is denied.

ORDERED this 10th day of August, 2005.


HAYDEN HEAD
CHIEF JUDGE